

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAMES T. SULLIVAN, etc., et al.,)	
)	
Plaintiffs,)	No. 07 C 1063
)	
v.)	Judge Castillo
)	
ALL PRO PLUMBING, INC.,)	Magistrate Judge Denlow
an Illinois corporation)	
)	
Defendant.)	

PLAINTIFFS' MOTION FOR ENTRY OF JUDGMENT

NOW COMES Plaintiffs, JAMES T. SULLIVAN, etc., et al., by their attorneys, DOUGLAS A. LINDSAY, JOHN W. LOSEMAN, and LISA M. SIMIONI, with LEWIS, OVERBECK & FURMAN, LLP, of counsel, and move this Court to enter a Judgment in favor of Plaintiffs and against Defendant in the amount of \$15,548.39. In support of this Motion, Plaintiffs state:

1. Plaintiffs filed their Complaint on February 23, 2007, seeking recovery of late charges, attorneys' fees, and court costs under the Collective Bargaining Agreements ("Agreements") in effect between Defendant and Plaintiffs pursuant to ERISA, 29 U.S.C. §§1132 and 1145, and the LMRA, 29 U.S.C. §185.

2. On May 7, 2007, Defendant was served with a copy of the Summons and Complaint. The original Return of Service was filed with the Clerk of Court and a true and correct copy is attached hereto as Exhibit A.

3. Defendant was required to appear and answer or otherwise plead on or before May 29, 2007.

4. On May 29, 2007, the Court found Defendant in default and set the case for prove-up hearing on June 14, 2007. A copy of the Court's May 29, 2007, Order is attached hereto as Exhibit B.

5. Plaintiffs' damages are calculated as follows:

\$3,079.72	Interest on unpaid contributions per §9.8 of the Agreements (see Affidavit of Kevin C. Sherlock attached hereto as Exhibit C)
\$9,838.37	Liquidated damages per §9.8 of the Agreements (see Affidavit of Kevin C. Sherlock attached hereto as Exhibit C)
\$2,630.30	Attorneys' fees and costs per §9.8 of the Agreements (see Affidavit of Douglas A. Lindsay attached hereto as Exhibit D)
\$15,548.39	Total

6. Plaintiffs request that the Court enter an Order in the form attached hereto as Exhibit E.

WHEREFORE, Plaintiffs, JAMES T. SULLIVAN, etc., et al., request the Court to enter a Judgment in favor of Plaintiffs and against Defendant in the amount of \$15,548.39.

JAMES T. SULLIVAN, etc., et al., by
their attorneys, DOUGLAS A. LINDSAY,
JOHN W. LOSEMAN, and LISA M.
SIMIONI.

By: 

Lisa M. Simioni
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Of Counsel:
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PROOF OF SERVICE

I served a copy of the foregoing **PLAINTIFFS' MOTION FOR ENTRY OF**

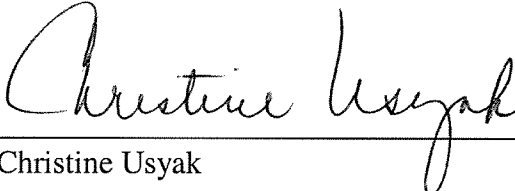
JUDGMENT upon:

**All Pro Plumbing, Inc.
c/o Its Registered Agent, Carlo G. D'Agostino
422 Wesley Street
Wheaton, IL 60187**

by placing a true and correct copy thereof in a sealed envelope addressed as aforesaid, with postage prepaid, and depositing same in the United States Mail Box at 20 North Clark Street, Chicago, Illinois on June 7, 2007, before 4:30 p.m.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 7, 2007.



Christine Usyak

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